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May 28, 2014

BY ECF AND OVERNIGHT DELIVERY

Hon. William H. Pauley III
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *CFTC v. Welsh*, No. 12 Civ. 1873 (WHP)

Honorable Judge Pauley:

We write to request a modification of the pretrial schedule because Defendant's disclosed expert, Alexander Kern, suffered a heart attack on May 5, 2014. He has recovered sufficiently to be able to work again. Accordingly, we would request a modification of the schedule to permit the filing of responsive experts reports by July 11, 2014. We would request that the remainder of the schedule be modified accordingly so that the dates remain the same relative to each other as they are in the current schedule, as set forth below, taking into account anticipated unavailability of counsel and/or experts for expert discovery. Plaintiff CFTC has advised that it does not oppose the request.

<u>Task</u>	<u>Present Deadline</u>	<u>Requested Deadline</u>
Responsive Expert Reports	May 30, 2014	July 11, 2014
Rebuttal Expert Reports	June 13, 2014	July 25, 2014
Expert Discovery Completion	July 18, 2014	September 5, 2014
Joint Pretrial Order Submission	August 15, 2014	October 3, 2014
Pretrial Conference	August 22, 2014	Any date convenient to the Court, after October 3, 2014.

Enclosed herewith pursuant to Your Honor's Individual Rules of Practice is a proposed Amended Scheduling Order. The parties appreciate the Court's consideration of this request and are prepared to address any questions or concerns the Court may have.

Respectfully submitted,

/s/

David E. Mollón

Enclosures

cc: Michael Solinsky (BY EMAIL)